

REMARKS:

An Amendment in response to a January 11, 2007 Final Office Action had been filed in the above-identified application on May 2, 2007. The May 2, 2007 Amendment was not entered by the Patent Office. Entry of the May 2, 2007 Amendment in connection with the Request For Continued Examination being filed concurrently herewith is requested.

In this regard, it is noted that the claim amendments made hereby are made relative to the claims as amended in the May 2, 2007 Amendment (thus, claims 8-19 are now presented for examination; claims 8-11, 13-17 and 19 have been amended hereby; and claims 1-7 have previously been cancelled).

In the January 11, 2007 Final Office Action the Examiner had rejected then-pending claims 1 and 3-6 under 35 U.S.C. §103(a) as allegedly being unpatentable over Cescon (U.S. Patent 5,612,687) in view of Fischer (U.S. Patent 4,630,983) and Takahashi et al. (U.S. Patent 5,850,676).

In addition, in the January 11, 2007 Final Office Action the Examiner had rejected then-pending claim 7 under 35 U.S.C. §103(a) as allegedly being unpatentable over Cescon in view of Fischer, Takahashi et al. and King, Jr. (U.S. Patent 3,962,775).

It is respectfully submitted that the currently amended claims are patentably distinct.

In fact, with regard to Fischer in particular (which the Examiner had cited in connection with various peg/sleeve details) it is noted that independent claim 8 now recites:

- “the pegs and the rack form one integral peg/rack piece, with the posterior portion of each of the pegs fixed to the rack” (emphasis added)

Similarly, independent claim 14 now recites:

- “the pegs and the inertial unit form one integral peg/inertial unit piece, with the posterior portion of each of the pegs fixed to the inertial unit” (emphasis added)

As such, each peg has a free anterior portion (which is received into a respective sleeve) and a posterior portion (which is fixed to the rack (in the case of claim 8) or the inertial unit (in the case of claim 14)).

This configuration is neither taught, shown nor suggested by Fischer.

In fact, it is respectfully submitted that Fischer (which relates simply to an expansion pin) actually teaches away from this configuration because the expansion pin of Fischer has two free ends – a first end that is driven into a hole by hammer blows applied to the second end:

In order to secure a wooden lath 11 to a piece of masonry 12 according to FIG. 4, a hole 13, corresponding to the diameter of the shank of the expansion pin, is drilled through the wooden lath and into the masonry. The expansion pin 1 is driven into the drilled hole by hammer blows on the pin head 2 until the pin head 2 is flush with the lath 11. As a result of the deformation of the insert 4 and of the restoring force resulting therefrom, the anchoring necessary to secure the lath 11 is obtained. (col. 3, line 64 to col. 4, line 5) (emphasis added)

Thus, since the expansion pin of Fischer is driven into the hole by hammer blows applied to an end of the expansion pin, it is respectfully submitted that this reference clearly teaches away from the currently claimed configuration in which the posterior portion of each of the pegs is fixed to the rack or inertial unit.

Finally, it is noted that this Amendment is fully supported by the originally filed application and thus, no new matter has been added. For this reason, the Amendment should be entered.

Accordingly, it is respectfully submitted that each rejection raised by the Examiner in the January 11, 2007 Final Office Action has been overcome and that the above-identified application is now in condition for allowance.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,
GREENBERG TRAURIG, LLP

Dated: December 4, 2007

By: /Matthew B. Tropper/
Matthew B. Tropper
Registration No. 37,457

Mailing Address:
GREENBERG TRAURIG, LLP
MetLife Building
200 Park Avenue
New York, NY 10166
Telephone: (212) 801-2100
Facsimile: (212) 801-6400